

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Victoria's Secret Brand Management, Inc.	:	
	:	
Plaintiff/Appellant,	:	
	:	
	:	Case No.: 07-cv-5804 (GEL)
	:	
v.	:	
	:	
Sexy Hair Concepts, LLC	:	
	:	
Defendant/Appellee.	:	
	:	
	:	

**SUPPLEMENTAL DECLARATION OF JOHN F. METZGER
IN FURTHER SUPPORT OF DEFENDANT/APPELLEE SEXY HAIR CONCEPTS'
MOTION FOR SUMMARY JUDGMENT**

John F. Metzger declares:

1. I am a citizen of the United States, over 18 years old and a resident of Montgomery County in the Commonwealth of Pennsylvania.
2. I am employed as a legal assistant with Eckert Seamans Cherin & Mellott, LLC in Philadelphia, Pennsylvania.
3. I have worked as a paralegal since October of 1994 and was employed at Ballard Spahr Andrews & Ingersoll, LLP in Philadelphia, Pennsylvania from September 1997 until February 2008 when I joined the firm of Eckert Seamans Cherin & Mellott, LLC .
4. My duties include general, internet and legal research, litigation support, document review and analysis, document organization and control, and electronic discovery support among others.

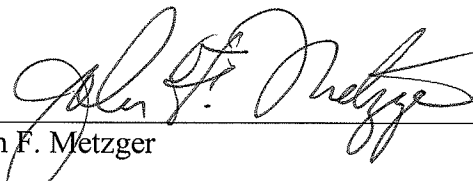
5. On June 5, 2008, I performed a search on the United States Patent and Trademark Office's website located at <http://ttabvue.uspto.gov/ttabvue> for a copy of the Consolidated Notice of Opposition in Proceeding No. 91,180,866, Victoria's Secret Stores Brand Management, Inc. v. United Retail Corporation. A true and correct copy of Victoria's Secret Stores Brand Management, Inc.'s Consolidated Notice of Opposition as filed on November 21, 2007 and bearing ESTTA Tracking Number ESTTA176246 is attached hereto as Exhibit A.

6. A true and correct copy of Defendant/Appellee Sexy Hair Concept's status information for U.S. Trademark Registration No. 2,403,396 for the mark SEXY HAIR as retrieved and printed from the TARR system on the United States Patent and Trademark Office's website located at www.uspto.gov is attached hereto as Exhibit B.

7. A true and correct copy of Defendant/Appellee Sexy Hair Concept's status information for U.S. Trademark Serial Number 78/942,914 for the mark SEXY as retrieved and printed from the TARR system on the United States Patent and Trademark Office's website located at www.uspto.gov is attached hereto as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct.

Date: June 6, 2008



John F. Metzger